## 1 Amendments to the Claims:

2 This listing of claims will replace all prior versions, and listings of claims in the application:

## 3 <u>Listing of Claims:</u>

- 4 (currently amended) A method for performance managing a service in a 5 video and data network comprising: 6 identifying one or more users receiving the service; 7 identifying a physical network transport in the video and data network for the one 8 or more users; 9 identifying a virtual network transport in the video and data network for the one 10 or more users: 11 monitoring performance data through the physical network transport and the 12 virtual network transport for the one or more users, wherein the physical network transport 13 comprises shared physical network elements shared by a plurality of customer networks and 14 dedicated physical network elements specific to a customer network, wherein the virtual network 15 transport comprises shared virtual network elements shared by the plurality of customer networks and dedicated virtual network elements specific to the customer network; 16 17 determining one or more threshold values for the one or more users' service; and 18 determining if the performance data violates at least one of the one or more 19 threshold values, wherein performance data for the shared physical and virtual network transport 20 and dedicated physical and virtual network transport is analyzed to determine if the performance 21 data violates at least one of the one or more threshold values.
- 2. (original) The method of claim 1, further comprising issuing an alarm if the performance data violates at least one of the one or more threshold values.
- 1 3. (original) The method of claim 1, wherein monitoring the performance data comprises monitoring real-time data.

1 4. (original) The method of claim 1, wherein monitoring the performance 2 data comprises monitoring nonreal-time data. 1 5. (original) The method of claim 1, further comprising storing the 2 monitored performance data. 1 6. (original) The method of claim 5, further comprising creating reports 2 using the stored performance data. (original) The method of claim 6, further comprising issuing an alarm 1 7. 2 based on the reports. 1 (original) The method of claim 1, further comprising identifying a set of 2 users impacted by the performance data violating the threshold values. 1 9. (original) The method of claim 1, wherein determining the one or more 2 threshold values comprises identifying a level of service for the one or more user's service; and 3 using the level of service in determining the one or more threshold values. 1 10. (original) The method of claim 1, wherein the service comprises a Digital 2 Subscriber Line (xDSL) service. 1 11. (original) The method of claim 1, wherein the service comprises a Very 2 high bit rate DSL (VDSL) service. (original) The method of claim 1, wherein the video and data network 1 12. 2 comprises a xDSL network. 1 13. (original) The method of claim 1, wherein the video and data network 2 comprises a VDSL network.

I	14. (currently amended) A method for performance managing of a service in
2	a video and data network providing video and data services, wherein the network comprises a
3	video cloud, data cloud, and video/data cloud, the method comprising:
4	identifying one or more users receiving the service;
5	identifying a physical network transport for the video cloud, the data cloud, and
6	the video/data cloud for the one or more users;
7	identifying a logical network transport for the video cloud, the data cloud, and the
8	video/data cloud for the one or more users;
9	monitoring performance data through at least one of the video cloud, the data
10	cloud, and the video/data cloud physical and logical network transports, wherein the physical
11	network transport comprises shared physical network elements shared by a plurality of customer
12	networks and dedicated physical network elements specific to a customer network, wherein the
13	virtual network transport comprises shared virtual network elements shared by the plurality of
14	customer networks and dedicated virtual network elements specific to the customer network;
15	determining one or more threshold values for the one or more users' service; and
16	determining if the monitored performance data violates at least one of the one or
17	more threshold values, wherein performance data for the shared physical and virtual network
18	transport and dedicated physical and virtual network transport is analyzed to determine if the
19	performance data violates at least one of the one or more threshold values.
1	15 18. (canceled)
1	19. (currently amended) A telecommunications device for performance
2	managing a service in a video and data network, the telecommunications device comprising:
3	logic to identify one or more users receiving the service;
4	logic to identify a physical network transport in the video and data network for the
5	one or more users;
6	logic to identify a virtual network transport in the video and data network for the
7	one or more users:

8

9

10

11

12

13

14

15

16

17

18

19

	logic to monitor performance data through the physical network transport and the
	virtual network transport for the one or more users, wherein the physical network transport
	comprises shared physical network elements shared by a plurality of customer networks and
	dedicated physical network elements specific to a customer network, wherein the virtual network
	transport comprises shared virtual network elements shared by the plurality of customer
	networks and dedicated virtual network elements specific to the customer network;
	logic to determine one or more threshold values for the one or more users'
	service; and
	logic to determine if the performance data violates at least one of the one or more
	threshold values, wherein performance data for the shared physical and virtual network transport
	and dedicated physical and virtual network transport is analyzed to determine if the performance
	data violates at least one of the one or more threshold values.
ı	

- 1 20. (previously presented) The telecommunications device of claim 19, 2 further comprising logic to issue an alarm if the performance data violates at least one of the one 3 or more threshold values.
- 1 21. (previously presented) The telecommunications device of claim 19, 2 further comprising logic to identify a set of users impacted by the performance data violating the 3 threshold values.
- 4 22. 25. (canceled)